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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

 Practitioners associated with the Customer Number:

25885

OR

 Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number |
|------|---------------------|
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as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

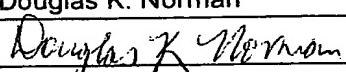
## Assignee Name and Address:

Eli Lilly and Company  
 Patent Division  
 PO Box 6288  
 Indianapolis, Indiana 46206-6288

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

|           |   |           |                |
|-----------|---|-----------|----------------|
| Name      | Douglas K. Norman   | Date      |                |
| Signature |  |           | 10 August 2004 |
| Title     | Deputy General Counsel, General Patent Counsel                                      | Telephone | 317-433-1651   |

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/587138  
AP20 Rec'd PCT/PTO 21 JUL 2006

PTO/SB/96 (8-96) (MODIFIED)  
Approved for use through 9/30/98, OMB 0651-0027  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**CERTIFICATE UNDER 37 CFR 3.73(b)**

First Applicant: **Alexei Kharitonenkov**

International Serial No.: **PCT/US 2005/000023**

International Application Date: **19 January 2005**

US Nat'l Entry Date: Entitled: **USE OF FGF-21 AND THIAZOLIDINEDIONE FOR TREATING  
TYPE 2 DIABETES**

**ELI LILLY AND COMPANY, an Indiana Corporation**

(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application identified above.

- The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_.  
 The assignment is being submitted separately for recordation; a copy of this assignment is attached.

OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

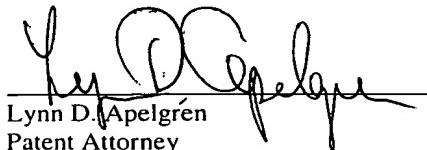
Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

21 July 2006

  
Lynn D. Apelgren  
Patent Attorney

**PCT REQUEST**

Original (for SUBMISSION )

|            |   |  |
|------------|---|--|
| VIII-4-1   | <p><b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b><br/> <b>Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</b></p> | <p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications", by application number, country or Member of the World Trade Organization, day, month, and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p> |
| VIII-4-1-1 | Prior applications:   |  |

## PCT REQUEST

Original (for SUBMISSION )

|                  |  |  |
|------------------|--|--|
|                  | <p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> |  |
| VIII-4-1-<br>1-1 | Name (LAST, First)   | KHARITONENKOV, Alexei  |
| VIII-4-1-<br>1-2 | Residence:<br>(city and either US State, if applicable, or country)  | Zionsville, Indiana  |
| VIII-4-1-<br>1-3 | Mailing address:   | 3812 Verdure Lane Zionsville, IN 46077<br>United States of America                               |
| VIII-4-1-<br>1-4 | Citizenship:   | RU   |
| VIII-4-1-<br>1-5 | Inventor's Signature:<br>(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)  | <br>11/17/05 |
| VIII-4-1-<br>1-6 | Date:<br>(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)   |  |

X16455

8/10

**PCT REQUEST**

Original (for SUBMISSION )

|                  |  |  |
|------------------|--|--|
| VIII-4-1-<br>2-1 | Name (LAST, First)   | SHIYANOVA, Tatiyana, Leonidovna  |
| VIII-4-1-<br>2-2 | Residence:<br>(city and either US State, if applicable,<br>or country)   | Carmel, Indiana  |
| VIII-4-1-<br>2-3 | Mailing address:   | 10523 Breckenridge Drive Carmel, IN<br>46033 United States of America                            |
| VIII-4-1-<br>2-4 | Citizenship:   | US   |
| VIII-4-1-<br>2-5 | Inventor's Signature:<br>(if not contained in the request, or if<br>declaration is corrected or added under<br>Rule 26ter after the filing of the<br>international application. The signature<br>must be that of the inventor, not that of<br>the agent) | <br>Dj. 17. 05 |
| VIII-4-1-<br>2-6 | Date<br>(of signature which is not contained in<br>the request, or of the declaration that is<br>corrected or added under Rule 26ter<br>after the filing of the international<br>application)  |  |

*Abdulmo*

## ASSIGNMENT

**WHEREAS I**, am an inventor or co-inventor (with the persons listed below) of an invention that is the subject of a patent application ("Application") which is entitled METHOD FOR TREATING TYPE 2 DIABETES, containing 20 pages, and which:

is being filed:  
 was filed:

in the United States Patent and Trademark Office  
 in the United Kingdom Patent Office  
 in the European Patent Office

as an international application under the Patent Cooperation Treaty ("PCT"), with:  
 United States Patent and Trademark Office acting as Receiving Office, or  
 International Bureau acting as Receiving Office;

on January 26, 2004 and accorded serial number 60/539241;

and

**WHEREAS ELI LILLY AND COMPANY**, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire the entire interest in all inventions disclosed in such Application;

**NOW, THEREFORE**, in consideration of my employment, any agreements related thereto, or other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign to Eli Lilly and Company, its successors and assigns (collectively "Lilly") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in any country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, international applications filed under the PCT, United States provisional patent applications, subsequent United States provisional patent applications claiming some or all of this invention, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates; and any related patent

term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Lilly not been made.

For myself and for my heirs, successors and legal representatives, I covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

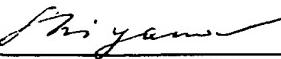
For myself and for my heirs, successors and legal representatives, I further covenant and agree with Lilly that upon request I and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.

1/28/04  
Date

  
\_\_\_\_\_  
Alexei Kharitonenkov  
3812 Verdure Lane  
Zionsville, IN 46077  
Citizenship: Russian Federation

1/28/04  
Date

  
\_\_\_\_\_  
Tatiyana Leonidovna Shiyanova  
10523 Breckenridge Drive  
Carmel, Indiana 46033  
Citizenship: Belarus

## UNITED STATES OF AMERICA

STATE OF INDIANA        )  
                            )  
COUNTY OF MARION        ) SS:  
                            )

Before me, a Notary Public for Morgan County, State of Indiana,  
personally appeared Alexei Kharitonenkov and acknowledged the execution of the foregoing  
instrument this 28<sup>th</sup> day of January, 2004.

Dale R Sanders  
Notary Public  
Commission Expires: February 13, 2007

## UNITED STATES OF AMERICA

STATE OF INDIANA        )  
                            )  
COUNTY OF MARION        ) SS:  
                            )

Before me, a Notary Public for Morgan County, State of Indiana,  
personally appeared Tatiyana Leonidovna Shiyanova and acknowledged the execution of the  
foregoing instrument this 28<sup>th</sup> day of January, 2004.

KELLY L. RAMSEY  
MY COMMISSION EXPIRES  
OCTOBER 30, 2009  
RESIDENT OF MARION COUNTY  
Morgan

Kelly L Ramsey  
Notary Public  
Commission Expires: